

REMARKS

Please cancel claims 1-14, 16-17, 19-23, and 70-82, without prejudice; claims 15, 18, 24-69 were previously canceled without prejudice; claims 83-114 have been added; claims 83-114 are now pending in this application.

Applicants have carefully reviewed and considered the Advisory Action mailed on October 30, 2003. In response thereto, the Applicants are concurrently and separately submitting a Request for Continued Examination (RCE) and a petition for a one-month extension of time. Presented herein are preliminary claim amendments, presented above, and an Interview Summary, presented below.

Interview Summary

Additionally, Applicants conducted a phone interview with the Examiner on November 5, 2003. Applicants' representative Joseph P. Mehrle conducted the interview on behalf of the Applicants. During that interview the Watanabe reference was discussed in view of Applicants filed application and existing claims. No agreement was reached during that interview but it was acknowledged that Watanabe includes no horizontally situated floating gate. It was also acknowledged that the vertical gates in Watanabe are not offset from one another with respect to the channel region.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (612) 373-6904 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES ET AL.

By their Representatives,

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Date Dec. 4, 2003

By Daniel J. Kluth
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on this 4 day of December, 2003

Name

Tina Kohout

Signature

ZU